

MPD
1/14/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#6
HWH (152)
2/26/03

Applicants: Yong Hwan Jeong et al. Docket No.: 01-699
Serial No.: 10/040,743 Examiner :
Filed : November 1, 2001 Art Unit : 2631
For : ZIRCONIUM ALLOY HAVING EXCELLENT CORROSION
RESISTANCE AND MECHANICAL PROPERTIES AND
METHOD FOR PREPARING NUCLEAR FUEL CLADDING
TUBE BY ZIRCONIUM ALLOY

Suite 1201
900 Chapel Street
New Haven, CT 06510-2802

RESPONSE

Attention: Licensing and Review
Hon. Commissioner of Patents & Trademarks
United States Patent & Trademark Office
Washington, D.C. 20231

RECEIVED
JAN 15 2003
LICENSING & REVIEW

Dear Sir:

In response to the Official Notice of December 17, 2002, a copy of which is enclosed, Applicants submit herewith the following:

- (1) Copy of Statement with transmittal letter which was filed at the USPTO on October 11, 2002; and
- (2) Copy of return receipt postcard showing USPTO receipt on October 17, 2002 of Item (1) above.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D. C. 20231

on January 7, 2003

(Date of Deposition)

Lori J. Larson

Name and Position of Attorney

Signature

Date of Signature

Respectfully submitted,

Yong Hwan Jeong et al.

By

Gregory P. LaPointe
Attorney for Applicants

Reg. No. 28,395

Tel: (203) 777-6628

Fax: (203) 865-0297

Date: January 7, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Yong Hwan Jeong et al. Docket No.: 01-699
Serial No.: 10/040,743 Examiner :
Filed : November 1, 2001 Art Unit : 2631
For : ZIRCONIUM ALLOY HAVING EXCELLENT CORROSION
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ZIRCONIUM ALLOY

Suite 1201
900 Chapel Street
New Haven, CT 06510-2802

RESPONSE AND SUBMISSION OF STATEMENT

Attention: Licensing and Review
Hon. Commissioner of Patents & Trademarks
United States Patent & Trademark Office
Washington, D.C. 20231

RECEIVED
JAN 15 2003
LICENSING & REVIEW

Dear Sir:

In response to the Official Notice of September 26, 2002, a copy of which is enclosed, Applicants enclose herewith a Statement signed by the inventors of the instant application.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231

on October 11, 2002

Rachel Piscitelli
(Date of Deposit)

Rachel Piscitelli
Name and Reg. No. of Attorney
October 11, 2002
Signature
Date of Signature

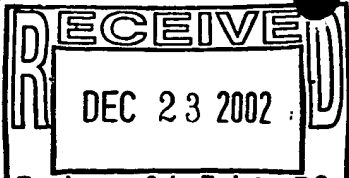
Respectfully submitted,

Yong Hwan Jeong et al.

By

Gregory P. LaPointe
Attorney for Applicants
Reg. No. 28,395
Tel: (203) 777-6628
Fax: (203) 865-0297

Date: October 11, 2002



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER Bachman & LaPointe, P.C. FIRST NAMED APPLICANT JEONG, ET AL. ATTORNEY DOCKET NO. 01-699

10/040,743

11/01/01

JEONG, ET AL.

EXAMINER

GREGORY P. LAPOINTE
BACHMAN & LAPOINTE, P.C.
900 CHAPEL STREET, SUITE 1201
NEW HAVEN, CT 06510-2802

ART UNIT

PAPER NO.

DATE MAILED:

17 DEC 2002

Response Due: 1-16-03 (Final Date)

REQUIREMENT FOR STATEMENT UNDER §152 OF THE ATOMIC ENERGY ACT

The subject matter of this application is considered "useful in the production or utilization of special nuclear material or atomic energy."

No patent for any invention "useful in the production or utilization of special nuclear material or atomic energy" may issue unless the applicant files a statement **WITHIN THIRTY DAYS** from request thereof by the Commissioner of Patents & Trademarks setting forth the full facts surrounding the making or conception of the invention described in the application and whether the invention or discovery was made or conceived in the course of or under any contract, subcontract, or arrangement entered into with or for the benefit of the Energy Research and Development Administration or the Department of Energy as required under section 152 of the Atomic Energy Act of 1954, 42 USC §2182.

Applicant is hereby given a period of **THIRTY DAYS** from the mailing date of this letter to file the required statement under 42 USC §2182. Failure to submit the required statement within the thirty day period will result in **ABANDONMENT** of the application. The thirty day period is fixed by §2182 of the Act and cannot be extended. Thus, no extension of this period may be obtained under either 37 CFR §1.136(a) or (b).

[Signature]
Joanne P. Hodge
Supervisory Applications Examiner
Special Laws Administration

Please direct all written communications regarding this matter to:
The Commissioner of Patents & Trademarks
Washington, D.C. 20231
Attention: Licensing & Review

Please direct all telephone calls regarding this matter to:
James Samuels, (703) 305-0239



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET N.
10/040,743	11/01/01	JEONG, ET AL.	01-699

GREGORY P. LAPOINTE
BACHMAN & LAPOINTE, P.C.
900 CHAPEL STREET, SUITE 120
NEW HAVEN, CT 06510-2802

RECEIVED	
SEP 30 2002	
Bachman & LaPointe, P.C.	
EXAMINER	
ART UNIT	PAPER NUMBER
	4

DATE MAILED: 26 SEP 2002

Response Due: 11-10-02 (Final Date)

**IF NO RESPONSE TO THIS NOTICE IS RECEIVED WITHIN FORTY-FIVE DAYS, A
FORMAL REQUIREMENT WILL BE ISSUED**

The subject matter of this application appears to:

☒ be "useful in the production or utilization of special nuclear material or atomic energy" as recited in 42 U.S.C. 2182 (Department of Energy (DOE)).

☐ "have significant utility in the conduct of aeronautical and space activities" as recited in 42 U.S.C. 2457 (National Aeronautics and Space Administration (NASA)).

Accordingly, no patent can issue on this application unless applicant(s) file a statement (under oath or in the form of a declaration as provided by 37 CFR 1.68) setting forth (1) the full facts concerning the circumstances under which the invention was made and conceived and (2) the relationship (if any) of the invention to the performance of any work under any contract or other arrangement with the Agency(ies) noted above. On the reverse side of this form is an example of an acceptable format for this statement. The language appearing in paragraphs III and/or IV of the example *must* appear if applicant is attempting to establish that no relationship (under item 2 above) exists.

If the invention disclosed in this application was developed under a contract, grant or cooperative agreement between the Agency indicated above and a person, small business or non-profit organization and rights to the invention have been determined by specific reference to 35 U.S.C. 202 in the contract, grant or cooperative agreement, then applicant need not submit the statement described above. Instead, applicant may file a verified statement (under oath or in the form of a declaration, 37 CFR 1.68) setting forth the information required by 35 U.S.C. 202(c)(6).

IF NO STATEMENT HAS BEEN RECEIVED WITHIN FORTY-FIVE DAYS OF THE MAIL DATE INDICATED ABOVE, a formal requirement for statement will then be issued. No provision is made for extension of the statutory thirty-day period for response to the formal requirement and the penalty for failure to file an acceptable and timely statement is abandonment of the application. Therefore, applicants are strongly encouraged to submit a statement at this time in order to avoid the issuance of a formal requirement.

IT IS IMPORTANT TO NOTE that the statement must accurately represent the property rights situation of the claimed invention if and when the application is found allowable. Thus, if during prosecution before the examiner, the claimed invention is so altered or the property rights situation so changed as to impact the accuracy of a statement submitted earlier, a supplemental statement must be filed. Failure to submit such additional information where appropriate may be considered a false representation of material facts and render the patent owner vulnerable to loss of patent rights and other sanctions as set forth in the statutes. The PTO will not review allowed applications for this possibility. The responsibility for complying with the statutes rests with the applicants.

Any questions regarding this requirement should be directed to Licensing and Review at (202) 306-4191.

**PLEASE DIRECT ALL COMMUNICATIONS RELATING TO THIS MATTER TO THE
ATTENTION OF LICENSING AND REVIEW**